## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA DANVILLE DIVISION

JAN	2 2 2013
JULIA C	UTY CLERK

UNITED STATES OF AMERICA,	)	
	) C	ase No.: 4:11cr00026
v.	)	
	) <u>0</u>	RDER AMENDING JUDGMENT
LOUIS SOUMAH,	)	
	) B	y: Hon. Jackson L. Kiser
Defendant.	)	Senior United States District Judge

It has come to my attention that the Defendant, Louis Soumah, and the Bureau of Prisons have a disagreement over the interpretation of my Order imposing a prison sentence on Mr. Soumah. After reviewing my judgment, entered on September 7, 2012 [ECF No. 32], it appears my intentions may have caused some confusion among the relevant parties. In the past, the practice of the Bureau of Prisons has been to only give credit for time served in federal custody, not state custody, unless I specifically note that credit should be given for time in state custody. That was my intention here. Apparently, however, the inclusion of the phrases "time served" and "with credit given for time served while in state custody," which were meant to refer to the same period of time, have led the parties to disagree over the actual term Mr. Soumah is supposed to spend in prison. To correct this clerical error and pursuant to Rule 36 of the Federal Rules of Criminal Procedure, I hereby amend Mr. Soumah's term of imprisonment to: 24 months (time served on each of Counts 1 & 2 to run concurrently and a consecutive term of 24 months as to Count 3). The "time served" on Counts 1 & 2 encompasses the time Mr. Soumah spent in both state and federal custody; I do not intend for any additional credit to be given on Count 3.

The Clerk is directed to send a copy of this Order and the Amended Judgment in a Criminal Case to the Defendant, the United States Attorney, and to the Bureau of Prisons.

Entered this 22md day of January, 2013.

ENIOR UNITED STATES DISTRICT JUDGE